

SHB 1393 - S COMM AMD

By Committee on Financial Institutions, Housing & Consumer
Protection

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 46.44.170 and 2004 c 79 s 4 are each amended to read
4 as follows:

5 (1) Any person moving a mobile home as defined in RCW 46.04.302 or
6 a park model trailer as defined in RCW 46.04.622 upon public highways
7 of the state must obtain:

8 (a) A special permit from the department of transportation and
9 local authorities pursuant to RCW 46.44.090 and 46.44.093 and shall pay
10 the proper fee as prescribed by RCW 46.44.0941 and 46.44.096; and

11 (b) For mobile homes constructed before June 15, 1976, and already
12 situated in the state: (i) A certification from the department of
13 labor and industries that the mobile home was inspected for fire
14 safety; or (ii) an affidavit in the form prescribed by the department
15 of community, trade, and economic development signed by the owner at
16 the county treasurer's office at the time of the application for the
17 movement permit stating that the mobile home is being moved by the
18 owner for his or her continued occupation or use; or (iii) a copy of
19 the certificate of ownership or title together with an affidavit signed
20 under penalty of perjury by the certified owner stating that the mobile
21 home is being transferred to a wrecking yard or similar facility for
22 disposal. In addition, the destroyed mobile home must be removed from
23 the assessment rolls of the county and any outstanding taxes on the
24 destroyed mobile home must be removed by the county treasurer.

25 (2) A special permit issued as provided in subsection (1) of this
26 section for the movement of any mobile home or a park model trailer
27 that is assessed for purposes of property taxes shall not be valid
28 until the county treasurer of the county in which the mobile home or
29 park model trailer is located shall endorse or attach his or her
30 certificate that all property taxes which are a lien or which are

1 delinquent, or both, upon the mobile home or park model trailer being
2 moved have been satisfied. Further, any mobile home or park model
3 trailer required to have a special movement permit under this section
4 shall display an easily recognizable decal. However, endorsement or
5 certification by the county treasurer and the display of the decal is
6 not required:

7 (a) When a mobile home or park model trailer is to enter the state
8 or is being moved from a manufacturer or distributor to a retail sales
9 outlet or directly to the purchaser's designated location or between
10 retail and sales outlets;

11 (b) When a signed affidavit of destruction is filed with the county
12 assessor and the mobile home or park model trailer is being moved to a
13 disposal site by a landlord as defined in RCW 59.20.030 after (i) the
14 mobile home or park model trailer has been abandoned as defined in RCW
15 59.20.030; or (ii) a final judgment for restitution of the premises
16 under RCW 59.18.410 has been executed in favor of the landlord with
17 regard to the mobile home or park model trailer. The mobile home or
18 park model trailer will be removed from the tax rolls and, upon
19 notification by the assessor, any outstanding taxes on the destroyed
20 mobile home or park model trailer will be removed by the county
21 treasurer; or

22 (c) When a signed affidavit of destruction is filed with the county
23 assessor by any mobile home or park model trailer owner or any property
24 owner with an abandoned mobile home or park model trailer, the same
25 shall be removed from the tax rolls and upon notification by the
26 assessor, any outstanding taxes on the destroyed mobile home or park
27 model trailer shall be removed by the county treasurer.

28 (3) If the landlord of a mobile home park takes ownership of a
29 mobile home or park model trailer with the intent to resell or rent the
30 same under RCW 59.20.030 after (a) the mobile home or park model
31 trailer has been abandoned as defined in RCW 59.20.030; or (b) a final
32 judgment for restitution of the premises under RCW 59.18.410 has been
33 executed in favor of the landlord with regard to the mobile home or
34 park model trailer, the outstanding taxes become the responsibility of
35 the landlord.

36 (4) It is the responsibility of the owner of the mobile home or
37 park model trailer subject to property taxes or the agent to obtain the

1 endorsement and decal from the county treasurer before a mobile home or
2 park model trailer is moved.

3 (5) This section does not prohibit the issuance of vehicle license
4 plates for a mobile home or park model trailer subject to property
5 taxes, but plates shall not be issued unless the mobile home or park
6 model trailer subject to property taxes for which plates are sought has
7 been listed for property tax purposes in the county in which it is
8 principally located and the appropriate fee for the license has been
9 paid.

10 (6) The department of transportation, the department of labor and
11 industries, and local authorities are authorized to adopt reasonable
12 rules for implementing the provisions of this section. The department
13 of transportation shall adopt rules specifying the design, reflective
14 characteristics, annual coloration, and for the uniform implementation
15 of the decal required by this section. By January 1, 2006, the
16 department of labor and industries shall also adopt procedures for
17 notifying destination local jurisdictions concerning the arrival of
18 mobile homes that failed safety inspections.

19 **Sec. 2.** RCW 43.22.340 and 2003 c 53 s 228 are each amended to read
20 as follows:

21 (1) The director shall adopt specific rules for conversion vending
22 units and medical units. The rules for conversion vending units and
23 medical units shall be established to protect the occupants from fire;
24 to address other life safety issues; and to ensure that the design and
25 construction are capable of supporting any concentrated load of five
26 hundred pounds or more. Also, the director shall adopt specific rules
27 concerning safety standards as necessary to implement subsection (3) of
28 this section by January 1, 2006.

29 (2) The director of labor and industries shall adopt rules
30 governing safety of body and frame design, and the installation of
31 plumbing, heating, and electrical equipment in mobile homes, commercial
32 coaches, recreational vehicles, and/or park trailers: PROVIDED, That
33 the director shall not prescribe or enforce rules governing the body
34 and frame design of recreational vehicles and park trailers until after
35 the American National Standards Institute shall have published
36 standards and specifications upon this subject. The rules shall be
37 reasonably consistent with recognized and accepted principles of safety

1 for body and frame design and plumbing, heating, and electrical
2 installations, in order to protect the health and safety of the people
3 of this state from dangers inherent in the use of substandard and
4 unsafe body and frame design, construction, plumbing, heating,
5 electrical, and other equipment and shall correlate with and, so far as
6 practicable, conform to the then current standards and specifications
7 of the American National Standards Institute standards A119.1 for
8 mobile homes and commercial coaches, A119.2 for recreational vehicles,
9 and A119.5 for park trailers.

10 (3) Except as provided in RCW 43.22.436, it shall be unlawful for
11 any person to lease, sell or offer for sale, within this state, any
12 mobile homes, commercial coaches, conversion vending units, medical
13 units, recreational vehicles, and/or park trailers manufactured after
14 January 1, 1968, containing plumbing, heating, electrical, or other
15 equipment, and after July 1, 1970, body and frame design or
16 construction, unless such equipment, design, or construction meets the
17 requirements of the rules provided for in this section.

18 (4) Any person violating this section is guilty of a misdemeanor.
19 Each day upon which a violation occurs shall constitute a separate
20 violation.

21 **Sec. 3.** RCW 43.22.432 and 2002 c 268 s 7 are each amended to read
22 as follows:

23 (1) The department may adopt all standards and regulations adopted
24 by the secretary under the national manufactured home construction and
25 safety standards act of 1974 (800 Stat. 700; 42 U.S.C. Secs. 5401-5426)
26 for manufactured home construction and safety standards. If any
27 deletions or amendments to the federal standards or regulations are
28 thereafter made and notice thereof is given to the department, the
29 standards or regulations shall be considered automatically adopted by
30 the state under this chapter after the expiration of thirty days from
31 publication in the federal register of a final order describing the
32 deletions or amendments unless within that thirty day period the
33 department objects to the deletion or amendment. In case of objection,
34 the department shall proceed under the rule making procedure of chapter
35 34.05 RCW.

36 (2) The department shall adopt rules with respect to manufactured

1 homes that require the prior written approval of the department before
2 changes or alterations may be made to a manufactured home that differ
3 from the construction standards provided for in this section.

4 (3) For purposes of implementing this section, by January 1, 2006,
5 the department shall adopt requirements for manufactured homes built
6 before June 15, 1976.

7 (4) Except as provided in RCW 43.22.436, it is unlawful for any
8 person to lease, sell, or offer for sale, within this state, a
9 manufactured home unless the home meets the requirements of the rules
10 provided for in this section.

11 **Sec. 4.** RCW 46.12.290 and 1993 c 154 s 2 are each amended to read
12 as follows:

13 (1) The provisions of chapter 46.12 RCW insofar as they are not
14 inconsistent with the provisions of chapter 231, Laws of 1971 ex. sess.
15 or chapter 65.20 RCW apply to mobile or manufactured homes: PROVIDED,
16 That RCW 46.12.080 and 46.12.250 through 46.12.270 shall not apply to
17 mobile or manufactured homes.

18 (2) In order to transfer ownership of a mobile home, all registered
19 owners of record must sign the title certificate releasing their
20 ownership. If the mobile home was manufactured before June 15, 1976,
21 the registered owner must sign an affidavit in the form prescribed by
22 the department of licensing that notice was provided to the purchaser
23 of the mobile home that failure of the mobile home to meet federal
24 housing and urban development standards or failure of the mobile home
25 to meet a fire and safety inspection by the department of labor and
26 industries may result in denial by a local jurisdiction of a permit to
27 site the mobile home.

28 (3) The director of licensing shall have the power to adopt such
29 rules as necessary to implement the provisions of this chapter relating
30 to mobile homes.

31 **Sec. 5.** RCW 59.21.021 and 2002 c 257 s 2 are each amended to read
32 as follows:

33 (1) If a mobile home park is closed or converted to another use
34 after December 31, 1995, eligible tenants shall be entitled to
35 assistance on a first-come, first-serve basis. The department shall
36 give priority for distribution of relocation assistance to tenants

1 residing in parks that are closed as a result of park-owner fraud or as
2 a result of health and safety concerns as determined by the local board
3 of health. Payments shall be made upon the department's verification
4 of eligibility, subject to the availability of remaining funds.
5 Eligibility for relocation assistance funds is limited to low-income
6 households. As used in this section, "low-income household" means a
7 single person, family, or unrelated persons living together whose
8 adjusted income is less than eighty percent of the median family
9 income, adjusted for household size, for the county where the mobile or
10 manufactured home is located.

11 (2) Assistance for closures occurring after December 31, 1995, is
12 limited to persons who maintain ownership of and relocate their mobile
13 home or who dispose of a home not relocatable to a new site.

14 (3) Persons who removed and disposed of their mobile home or
15 maintained ownership of and relocated their mobile homes are entitled
16 to reimbursement of actual relocation expenses up to (~~seven~~) twelve
17 thousand dollars for a double-wide home and up to (~~three~~) seven
18 thousand five hundred dollars for a single-wide home.

19 (4) Any individual or organization may apply to receive funds from
20 the mobile home park relocation fund, for use in combination with funds
21 from public or private sources, toward relocation of tenants eligible
22 under this section. Funds received from the mobile home park
23 relocation fund shall only be used for relocation assistance expenses
24 or other mobile/manufactured home ownership expenses, that include down
25 payment assistance, if the owners are not planning to relocate their
26 mobile home as long as their original home is removed from the park."

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27 In line 1 of the title, after "homes;" strike the remainder of the
28 title and insert "and amending RCW 46.44.170, 43.22.340, 43.22.432,
29 46.12.290, and 59.21.021."

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